

COUNTY OF KAUAI
KAUAI HISTORIC PRESERVATION REVIEW COMMISSION
Mo'ikeha Building, Meeting Room 2A/2B

MINUTES

A regular meeting of the Kauai Historic Preservation Review Commission (KHPRC) was held on January 17, 2019, in the Mo'ikeha Building, Meeting Room 2A/2B.

The following Commissioners were present: Chair Aubrey Summers, Vice Chair James Guerber, Deatri Nakea and Victoria Wichman (*recused herself at 4:31 p.m.*).

The following Commissioners were excused: Althea Arinaga and Anne Schneider.

The following staff members were present: Mayor Derek S. Kawakami (*arrived 4:16 p.m., left 4:18 p.m.*). Planning Department: Planning Director Ka'aina Hull, Deputy Planning Director Jodi Higuchi-Sayegusa (*left 4:29 p.m.*), Shanlee Jimenez and Alex Wong (*arrived 3:49 p.m.*). First Deputy County Attorney Nicholas Courson (*left 3:40 p.m.*). Office of Boards and Commissions: Administrator Ellen Ching (*left 4:20 p.m.*) and Commission Support Clerk Sandra Muragin.

A. CALL TO ORDER

Chair Pro Tem Guerber called the meeting to order at 3:04 p.m.

B. ROLL CALL

Planning Director Ka'aina Hull: Good afternoon Chair and members of the Commission. First order of business is roll call. Commissioner Arinaga, is excused. Commissioner Ida.

Mr. Ida: Present.

Mr. Hull: Commissioner Nakea.

Ms. Nakea: Present.

Mr. Hull: Commissioner Schneider, is excused. Commissioner Summers.

Ms. Summers: Present.

Mr. Hull: Commissioner Wichman.

Ms. Wichman: Present.

Mr. Hull: Chair Guerber.

Chair Pro Tem Guerber: Present.

Mr. Hull: Mr. Chair, you do have a quorum.

C. SELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Mr. Hull: Next agenda item is what happens every new-year, it's the selection of the chairperson and vice chairperson. We are going to want to entertain nominations for the chairperson.

Chair Pro Tem Guerber: Please.

Ms. Summers: Can they serve again?

First Deputy County Attorney Nicholas Courson: No, they can serve as vice chair.

Mr. Hull: But, the nomination for chair is the first order of business, then after...

Ms. Summers: Then we could...

Mr. Hull: Should a new chairperson be elected that new chairperson, would take nominations for (the) vice chairperson.

Ms. Wichman: I nominate Aubrey Summers for chair.

Chair Pro Tem Guerber: I'll second that.

Mr. Hull: And then you ask for any other nominations.

Chair Pro Tem Guerber: Oh yes, that's right, any more nominations? (Hearing none) Any discussion? (Hearing none)

Mr. Hull: You ask for a motion to close nominations.

Chair Pro Tem Guerber: We got to close nominations. I need a motion for closing nominations.

Ms. Nakea: I move that we close nominations.

Ms. Wichman: Second.

Chair Pro Tem Guerber: All in favor. (Unanimous voice vote) Motion carried 5:0. Now the nominations are closed. Now we need to vote on the nomination.

Mr. Hull: There was one nominee.

Chair Pro Tem Guerber: There was only one nomination, may I have a vote on that. All in favor, say aye? (Unanimous voice vote) Opposed. (Hearing none) It's unanimous. Motion carried 5:0.

Mr. Hull: Motion passes. Thank you for your service Mr. Guerber. So Madame Chair, the next agenda item would be to ask for nominations for the vice chairperson.

Chair Summers: Any nominations for the vice chair?

Ms. Nakea: I nominate Jim Guerber. I'll be leaving the Commission.

Ms. Wichman: Oh, you won't...

Ms. Nakea: Correct.

Chair Summers: Any more nominations. Could I have a motion to close the nominations?

Ms. Wichman: I move to close the nominations.

Mr. Guerber: I second.

Chair Summers: Any further discussions? (Hearing none) All those in favor say aye. (Unanimous voice vote) Any opposed? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes Madame Chair. Oh, excuse me. That was the motion to close the nominations. So now that nominations have been closed, (and) you'd ask for a motion in favor of appointing Commissioner Guerber as the vice chair.

Chair Summers: A motion to accept Mr. Guerber as the vice chair.

Ms. Wichman: I move to accept Jim Guerber as vice chair.

Ms. Nakea: I second.

Chair Summers: Any discussions. (Hearing none) All in favor? (Unanimous voice vote) Any nays? (Hearing none) Motion carried 5:0

Mr. Hull: Motion passes Madame Chair.

D. APPROVAL OF THE AGENDA

Mr. Hull: Next agenda item is the approval of the agenda. Given potential quorum issues, the Department would recommend that agenda item, excuse me, J.3. and 4. be moved to the bottom of the agenda, right before adjournment...and we have no further amendments.

Chair Summers: Could I have a motion to approve the agenda as amended?

Ms. Wichman: I move to approve the agenda as amended.

Mr. Guerber: I second.

Chair Summers: Any discussion. (Hearing none) Any nays? All those in favor? (Unanimous voice vote) Any nays? (Hearing none) Motion carried 5:0

Mr. Hull: Motion passes Madame Chair.

E. APPROVAL OF THE NOVEMBER 15, 2018 MINUTES

Mr. Hull: Next agenda item is approval of the November 15, 2018, minutes.

Mr. Guerber: I move that we approve the minutes of November 15, 2018.

Ms. Wichman: Second.

Chair Summers: Any discussion. (Hearing none) All in favor? (Unanimous voice vote) Any nays? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes, Madame Chair.

F. HEARINGS AND PUBLIC COMMENT

Mr. Hull: The next agenda item is Hearings and Public Comment. If there are any members in the audience that would like to testify on any agenda item at this time, now would be the time to speak. If you'd like to choose to speak during the listed agenda item, the Chair generally reserves that right, as well. Seeing none.

G. ANNOUNCEMENTS AND GENERAL BUSINESS MATTERS

- 1. Letter (12/27/18) to The Honorable Derek S. Kawakami, Mayor, County of Kaua'i from Tom A. Samra withdrawing its November 29, 2017 final decision and issuing a final decision cancelling the relocation project.**

Mr. Hull: Next agenda item is G. Announcements and General Business Matters. So what you folks have transmitted to you is...as many of you were aware (it) had been brought before this body on more than one occasion, is the United States Postal Service (USPS) made communications back in 2016 about their desire to relocate. Essentially close down the historic Līhu'e Post Office and relocate services closer in proximately to the Līhu'e Airport. This body went on the record and at great length to request the USPS to reconsider that action and to

oppose (the) ultimate relocation and discontinuation of services at the historic Līhu'e Post Office. There had been about two years of correspondence between the County and the USPS (in) analyzing the potential impacts that the relocation could have. Back about a little over a year ago, the USPS made a communication public. Sending it to the Mayor's Office, to you folks, to the Department, as well as making it available at the postal site, that it had made its final decision to relocate its services to the airport. The Department strongly objected against that. Finding it in conflict with Section 106 of the Federal Rules and Regulations and subsequent to that, the United States Postal Service began its (Section) 106 process, which we found again counter, because you cannot make a final decision until the process is done. However, the Postal Service maintained that it had made its final decision and had the right to make that final decision before going into the Section 106 process. But throughout that (Section) 106 process the Department had been constantly engaged with the United States Post Office relaying the potential impacts to the historical site, as well as, to the overall site and again continuously providing objections to the manner in which they were proceeding through (the Section) 106 proceedings. I can also say that other community members, Līhu'e Business Association, in particular and the Historic Hawai'i Foundation of Hawai'i have been partnering to also convey continued pressure on the United States Postal Service to reconsider. We had also been in touch with our Congressional Offices, for which they also had been exerting continual pressure, and it appears from this now recent communication from the U.S. Post Office, that they have reconsidered again and have made their final, new final decision, "to not relocate their services", which we do applaud and support. And the letter is just being provided to you folks. If you have any questions or clarification, any input, it's been transmitted to you folks for that reason.

Mr. Guerber: I heard this about three days ago and I think a big part of this should be given to Pat Griffin, who was on our Commission and she really spearheaded a lot and I think it was through her work that this really – I don't know what we can do? Write a letter, or something but she deserves a big applause from the...

Ms. Wichman: Send her a coconut.

Mr. Guerber: We can send her 100 coconuts.

Chair Summers: Is that something that the Commission does typically or...sending a letter?

Mr. Guerber: I don't know.

Mr. Hull: The Commission can elect to send a letter and officially recognizes somebody for their efforts; but you need a motion and vote to that affect.

Ms. Wichman: I'd like to move to recognize Pat Griffin of the Līhu'e Business Association for their efforts in protecting the preservation of the Līhu'e Postal Service.

Ms. Nakea: Second.

Chair Summers: Discussion?

Mr. Guerber: Whose going to write the letter?

Mr. Hull: The Department could draft that up and provide it at...sorry and because I think you need a properly agendized letter and right now it's just a letter from Tommy Samra to you folks. The Department can draft up a letter to that affect and put it on the agenda for your review in February.

Mr. Guerber: That'd be good. Wonderful, lets vote.

Mr. Hull: If there's no further discussion it would just be...the Department would ask for a motion to receive the letter from Mr. Samra.

Mr. Courson: Oh, but there's a motion on the floor right now.

Mr. Hull: No, yes, so I don't know if they have to withdraw that. Nick, is it possible for them to vote on...

Mr. Guerber: We can receive after.

Mr. Courson: This is an agenda that...

Mr. Hull: Yes, that an actual drafting of a letter to the Līhu'e Business Association, isn't specifically agendized? Can?

Mr. Courson: I think it's fairly within the realm. I don't object to that on Sunshine Law. I think there's enough of a nexus and I think that because the letter will come back on the next agenda anyone in the public that has thoughts on it will have an opportunity to express their thoughts.

Mr. Hull: But I guess you would ask for...a motions been made and seconded so without further discussion you would ask for a vote on the...

Chair Summers: All in favor of the motion to receive the letter.

Mr. Hull: No, to draft the letter...

Chair Summers: To draft the letter.

Mr. Hull: To the Līhu'e Business Association.

Chair Summers: Any opposed? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes Madame Chair. Also I need a further motion to receive the letter from Tom Samra.

Mr. Guerber: Madame Chair, I move that we receive the letter from Mr. Tom Samra.

Chair Summers: All in favor.

Ms. Nakea: Second. I second.

Chair Summers: Any discussion. (Hearing none) Any opposed? All those in favor? (Unanimous voice vote) Any opposed? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes.

- 2. The West Kaua'i Community Plan Heritage Resources public workshops will be held on Janaury 23rd and 24th from 5:00 p.m. to 7:00 p.m. at Hanapēpē Library and Kekaha Neighborhood Center, respectively. Cultural Surveys Hawai'i has also been hired as a consultant to publish a report that will inform the West Kaua'i Community Plan document. The draft report is forthcoming and will be presented to KHPRC at a later date.**

Mr. Hull: I believe Marisa Valenciano is here just to give a quick briefing, as far as, what is going on with the West Kaua'i Plan and the Heritage Resource discussions going on.

Planning Department Marisa Valenciano: Good afternoon Madame Chair and members of the Commission. As Ka'āina mentioned, we are about midway through our West Kaua'i Community plan process and as part of this process we are in the middle of our focus workshops, we're calling it. And this month we are working on heritage resources which encompasses everything from culture sites and places, (inaudible) historic structures and buildings and so we just wanted to extend an invitation to all of you, as well as, the community, that we welcome you all to participate in this heritage resources workshop. I believe the dates and information is on the agenda. That's happening next week the 23 and 24; 23 is going to be at the Hanapēpē Library and then Kekaha is going to be at the Kekaha Neighborhood Center from 5:00 p.m. to 7:00 p.m. We have had a really, good turn out so far and we look forward to the next series of workshops related to heritage resources in January, transportation in February, (and) economic development in March. And then also along the same lines, we wanted to let the Commission know that back in, back before we started this process, we had hired consultants...cultural surveys to help us conduct a technical study called the Culture and Historic Assessment for West Kaua'i. And we intend – right now, we've been working with our consultant on preparing some of the deliverables. Part of the deliverables will be a draft report and we do intend that when that comes available, to come to this Commission to seek input specifically on that. If any of you have any information...have any questions or want to be more actively involved in the process please feel free to come see me or just let Ka'āina know and we can make sure we can get that information to you. But that's all I have right now.

Mr. Hull: You guys have any questions?

Ms. Valenciano: Thank you.

Mr. Hull: Thanks Marissa.

H. COMMUNICATIONS

Mr. Hull: No communications.

I. UNFINISHED BUSINESS

1. National Historic Preservation Act, Section 106 and Hawai'i Revised Statutes, Chapter 6E, Memorandum of Agreement Discussion Hanapēpē Bridge Replacement Project, Project No. HI STP SR50(1) Waimea District, Kaua'i Island, Kōloa Ahupuaa TMK: (4) 1-9-007: 001 Hanapēpē Canal, (4) 1-9-007-013, (4) 1-9-007:034, (4) 1-9-007 Kaumuali'i Highway Right-of-Way, (4) 1-9-010:015, (4) 1-9-010:046, (4) 1-9-010:050, (4) 1-9-010 Kaumuali'i Highway Right-of-Way.

a. Final Memorandum of Agreement Among the Federal Highway Administration, The Hawai'i State Historic Preservation Officer, and Regarding the Hanapēpē Bridge Replacement Project.

Mr. Hull: You guys remember some time ago the Department of Transportation came to you folks in its Section 106 review to discuss the replacement of the bridge? At that time, there was also discussion from this body as far as entertaining or entering into a Memorandum (Of) Agreement (MOA) with the Department of Transportation (DOT) in their replacement of that bridge. So as they proceed throughout the project that this body would essentially be a party to that Memorandum of Agreement, on how the replacement is done, and any work being done. They have provided the final MOA to you folks and it's one, up for discussion as far as whether or not you're okay with that MOA. If you'd like to recommend any amendments to that MOA...excuse me?

Mr. Guerber: This is the highway bridge...

Mr. Hull: The highway bridge, this isn't the...

Mr. Guerber: Not the one-way bridge with the walkway beside.

Mr. Hull: Correct.

Mr. Guerber: Okay.

Mr. Hull: So the Department didn't have any objections to the MOA as it stands, but we're providing to you folks as to if you are still wanting to – if there's any desire to propose amendments to the MOA.

Ms. Wichman: I have a question. You said to oppose or to have amendments for this. Is this the same one that, that we saw clear to them? Is it exactly, the same, because the date received, is today?

Mr. Hull: No, yes, so...this I believe and apologize. Our two historic preservation staff, both Myles and Alex are...have been taken to other places. Alex is stuck in 'Ele'ele and Myles has been taken for an HR issue. So I quite honestly, I am not sure. Myles supposed to be here to do a briefing and if you would like to defer this particular item for when Myles can give that briefing.

Mr. Guerber: I think this was before my time on the commission, so I didn't see this one. We saw the one for the County Bridge.

Mr. Hull: No, excuse me, the one for the County Bridge was not an MOA with the Department of Transportation. The one for the County Bridge was an actual nomination for the State Register.

Mr. Guerber: That's right.

Mr. Hull: Yes. So this one, I apologize. Myles isn't here to give the briefing so I can't actually say how much this has changed. I don't believe, at least in like small talk, there have been much of any changes at all. It is subsequently the same, as I understand it. But again it is here so if you'd like to defer this till February to get that official briefing, we can do that as well. And part of this also quite honestly, is that before Myles supposed to be here, the actual Federal Highways folks were supposed to be here. But all the projects that have Federal Highways attached to it there was supposed to be some discussion on their part giving a presentation; we received communication from them that during the government shutdown they're not participating in the discussions. So that's why we're a little in the dark here, and again I apologize for that.

Mr. Guerber: (Inaudible), I move that we post-pone this until February.

Ms. Nakea: I second.

Mr. Hull: So the second was from Commissioner Nakea.

Chair Summers: Any further discussion. (Hearing none) All in favor? (Unanimous voice vote) Any opposed? (Hearing none) Motion carried 5:0.

b. Appointment of Investigative Committee members (Permitted Interaction Group) to Interact with the DOT on behalf of the KHPRC as a party to the Memorandum of Agreement for the Hanapēpē Bridge Replacement Project, Project No. HI STP SR50(1).

Mr. Hull: The second item is also related to this bridge project, and in reviewing the minutes there was an actual Permitted Interaction Group that was formed to participate in the MOA discussions. The Permitted Interaction Group are no longer part of the Kaua'i Historic Preservation Commission, with the exception of Commissioner Wichman. The other commissioners are no longer part of it, so the proposal on the table is to see if this body still

wants to continue having a Permitted Interaction Group and if that is the case to appoint at a minimum of three members to that Permitted Interaction Group.

Chair Summers: What does a Permitted Interaction Group do?

Mr. Hull: So the Permitted Interaction Group is essentially able to discuss agenda items off of the agenda, essentially. So they can meet and further analyze, discuss, and then ultimately propose to this body a course of action. So I don't believe there really was much discussion with the PIG for this issue, but should it be reformed. Or excuse me...should members be appointed to it, so that there is actually a group in place now, they would have the potential to go into further discussions with the Department. As well as, enter into these where there isn't a (Historic) Preservation meeting, (and) enter into discussions with the Department of Transportation, as well as, Federal Highways to discuss among other things the MOA. So ultimately, the Department would be looking for some type of action from this body. Either a motion to disband the PIG if there's no desire to go further on it, action to defer, which you guys may want to do being that the actual MOA has been deferred until February, or an action to actually appoint three members right now to the Permitted Interaction Group to move forward.

Ms. Wichman: Can I ask a question? As far as the Permitted Interaction Group, has the Federal Highways Administration, have they been meeting with anybody? With (the) community in Hanapepe, already? I mean the bridge project is already long underway and I did see a little kiosk with some kind of information that was just right before the bridge, on this side. And I was just wondering...we've never...I was on that PIG and I never heard anything from anybody about it? So (I) was just wondering how far they've come along since the previous MOA that we signed. And what is there left to do? That's basically you know, what's the purpose of us being on this? Yes.

Mr. Hull: And yes. I would love to be able to convey that to Federal highways but alas.

Ms. Wichman: I am sorry but I just...

Mr. Hull: No, so I can say they have been meeting, they have continued to hold meetings. They have...they've updated us, (and) this is the last update, the last communication we sent to you folks was their previous MOA. So aside from them updating us with their new versions of MOA, we haven't gotten much from them. We understand that they are also meeting with the public (and) the next meeting is scheduled, February 6, where they will have an evening meeting. But aside from that, again, I can't speak on behalf of them until they're able to get their government funding (and) they're probably not going to be able to come back before (then) to answer the questions.

Ms. Wichman: And the February 6 meeting might not happen?

Mr. Hull: The February 6 meeting may not happen...

Ms. Wichman: Because of the government shutdown?

Mr. Hull: Correct.

Ms. Wichman: Okay. But if we were to defer this...our meeting is after February 6? So we actually, if we wanted to participate in this we'd have to make a decision now.

Mr. Hull: If you wanted to participate in the February 6 meeting as a PIG, yes. So if you wanted the PIG members...and I can say that if the government shutdown is still going on February 6 the meeting won't happen because ultimately it's a DOT project. It was the Federal Highways Administration, as I understand it, that was facilitating the Memorandum (of) Agreement under Section 106 to bring all the parties together, but I don't know if that would automatically preclude or foreclose on a meeting of February 6 from happening. So if the shutdown is still occurring, DOT theoretically still could go forward with the meeting.

Ms. Wichman: Thank you.

Mr. Hull: So again, ultimately we would need a motion...

Mr. Guerber: I move we disband this PIG. It wasn't doing any good, anyway.

Ms. Wichman: I'll second it.

Chair Summers: Any discussion. (Hearing none) All in favor? (Unanimous voice vote) Any opposed? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes Madame Chair.

J. NEW BUSINESS

1. National Historic Preservation Act (NHPA) Section 106 Consultation for Kawaihau-Hauaala-Mailihuna Complete Streets, Kapa'a Ahupuaa Moku of Puna, Island of Kaua'i. Federal Aid Project No. STP-0700(071).

Tax Map Keys: [4]4-6-014:030, 031, 112, and 113; 4-6015:003, 004, 012, 015, 021, 052, 058, 060, 067, 071, 073, 076, 082, 084, 086, 087, 090, and 102; 4-6-16:005, 034, 035, 037, and 069-071; 4-6-018:048, and 052; 4-6-019:001, 003-005, 009-011, 013-016, 029, 031, 037-039, 042, 044, 045, 047, 048, 053-057, and 095; 4-6-029:003-005, 009-011, 013-016, 029, 031, 037-039, 042, 044, 045, 047, 048, 053-057, and 095; 4-6-027:001-004, 007, 013, 014, 025, 035, 037, and 038; 4-6-029:003-005, 016, and 024.

Mr. Hull: I believe we have Lee here to give a presentation.

Lee Steinmetz: And yes Madame Chair, I have a PowerPoint so you might want to a...hopefully it'll work. So my name is Lee Steinmetz (and) I am the Transportation Planner with the Planning Department and also here in the audience is Joel Bautista, who is with the Engineering Division of the Department of Public Works. Joel's actually managing this project but came into that role like last week, so I am going to give the presentation today as Joel kind of learns more

about the project. We wanted to bring this forward. This is a project of the Engineering Division (and) the consultant on this is Wilson Okamoto. We wanted to bring this to you because actually we were going through a Section 106 process on this, and to be honest the comment period for that has already closed because we weren't able to schedule time on the agenda within the comment period. So that being said, we still wanted to bring this forward to you. We're still in the design process and if you have comments about the project we can still acknowledge that and incorporate those and look at those as we continue with the design. So we're not done with the design, but anyway so we just wanted to do this more informally, not formally as part of the (Section) 106 but still take your input.

So the reason for doing this project is kind-of summarized by this picture. For any of you who are around Kapa'a Elementary (School), Kapa'a High School, (or) St. Catherine's School/(Church), there is a lot of congestion around the schools at pickup and drop off times. There's a lot of safety concerns for pretty much everybody using the road but especially for people who are walking, and biking to school. There's a lot of concerns. There's a large intersection with Kawaihau Road, Hau'a'ala Road, Mailihuna Road, (and) they all come together. It's a very confusing intersection, so we're trying to really address all of those safety issues, congestions issues, and also resurface the road in that area, all (these) things that need to be done. So anyway, this is the purpose of the project to really look at safety and complete streets improvements around these schools and on these streets.

We've identified an Area Of Potential Effect, which is primarily the road right-of-way (and) it goes out a little bit in certain areas where we think we're going to have some drainage, possible drainage improvements on adjacent properties. But you can see Kawaihau Road there and Mailihuna Road, which goes off to the right and a little bit of Hau'a'ala Road that goes right past St. Catherine's Church and to the school. So anyway, that's the Area of Potential Affect. Something that maybe you heard about, a component of this project, is what we're calling a peanutabout. Which takes all of those intersections and creates a peanut shaped roundabout to try to address some of the safety concerns with pedestrian crossings across all of those streets. We're also extending sidewalks all along, down to Kapa'a Elementary and a little sidewalk going along Hau'a'ala street (sic) over to by St. Catherine's School. We're adding some bus shelters at the bus stops (and) one's already been installed as part of a separate project, but we'll do another one. And also more protected pedestrian crossings at certain locations, like right by the schools with the flashing beacon lights. So here's just what that peanutabout area would look like. There's that triangular park that is on the corner there by Mailihuna (Road), where Mailihuna and Hau'a'ala Roads come together (and) we're taking a small portion of that triangle for this peanutabout. There's also a little irrigation ditch there, but we're not going to the other side of the ditch, we're just staying on the road side of the ditch. That parcel is (an) Executive Order from the State to the County for a park, so one of the things that we have to do is get approval to use that little sliver on the corner for part of the road, instead of part of the park. So we're working on the state with that. There's (also) a few other minor acquisitions of private properties on the corners to make all of the things work. Other than that, all of the work with the exception of maybe some drainage is within the existing right-of-way.

As you go down Kawaihau road we're now looking, there's parking lots (and) that upper parking lot is right in front of that elementary school. The parking lot on the other side serves teachers

and students of both the elementary school and the high school. So we'll be extending sidewalks all along that street and on the school side of the street we're actually showing a wider sidewalk that would be up to, between six and eight feet and what we're trying to do is connect to the recently completed elevated boardwalk that comes up from the bike path and people can then just ride.

Nicholas Courson left the meeting.

We'll have a wider sidewalk there, so people who aren't comfortable riding in the street can ride on the sidewalk all the way connecting to the school. And by the way, it is legal to ride a bike on the sidewalk if it's not in a commercial area, so we're okay with that. You can also see those crossings, those kind of protected crossings with the median. Part of the purpose of the median is to slow down traffic so it's more calm right near the school. This is extending along Kawaihau Road down to in front of Mahelona Hospital where we're keeping the sidewalk just on the hospital and school side, but on the other side we'll have a striped shoulder that people can walk or ride a bike in. And then this shows the connection to Iwaena road that connects to the bike path and the elevated boardwalk, so that becomes one complete system. Then on Mailihuna Road we're looking...there's already a sidewalk, kind of, sort of, sidewalk on the residential side of the street. We're looking at improving that (by) making it little bit wider, and little bit safer. And then on the school side there's currently just a drainage swale so we're looking at putting a sidewalk near the school fence, which means that we'll be regrading that drainage swale, as well. And you can see on the lower...this is kind of a connection starting at the top of Mailihuna (Road) and going down. Those improvements will extend down to the lower parking lot at Kapa'a High School by the fields and that's the end of the project. Oh I guess that's the end of the presentation, sorry I forgot to just mention on Hau'a'ala Road you can see in front of St. Catherine's School, we're only extending a sidewalk down to the parking lot in the area of the school for kids that are walking that way. Unfortunately, Hau'a'ala Road is really constrained in terms of topography and with the right-of-way that we have. So we're not able to extend (the) sidewalk beyond that point. So...

Mr. Guerber: Have there been any studies done on peanutabouts on traffic confusion and there's got to be university studies done about this?

Mr. Steinmetz: Yes, so our consultant has a roundabout consultant on their team and they have designed these types of roundabouts. We looked at different options, (like) an ovalabout. But we were concerned that people would speed because it's so long. (We) actually (thought about) having two roundabouts there (but) we thought that would be way too confusing, so this seemed like the best, the best approach. They really operate like a regular roundabout. They're pretty much the same thing it's just a way to extend it where you have intersections that don't exactly line up. Okay thank you. If you have any questions, comments, suggestions, we're happy to hear that.

Ms. Nakea: That intersection terrifies me when it's busy. So it could need some improvements.

Mr. Guerber: So would that still terrify you, I mean...

Ms. Nakea: The peanutabout? No, I don't think so.

Mr. Guerber: Thank you.

Chair Summers: Any further comments or discussion.

Mr. Guerber: I have one question Lee. Are we going to narrow the traffic lanes? Is that happening?

Mr. Steinmetz: Yes, the traffic lanes will be 10 feet basically. So again that will be...well it varies a lot because there're a lot of different things going on there. In some areas, there's just a center line, and then the road extends out. So they'll be more defined then they are now.

Mr. Guerber: Okay. Thanks.

Chair Summers: Any other discussion.

Mr. Hull: So the purpose of what the project is before you folks, is essentially pursuant to the Section 106 process to get comments, input, criticism, points of objection that this body may have to the project. If there aren't, you can, you know take a, you can entertain a motion just to receive for the record with no comments, or you can take a motion to support the proposed improvements, or a motion to raise points of critique.

Mr. Steinmetz: Maybe I should add something about the historic (inaudible). So sorry I just gave the scope. But we do have a Cultural Resources Historic Archaeological Consultant. The consultant has a sub-consultant and they've done a lot of extensive literature research. They've looked at the area and basically within the Area of Potential Effect (APE) they haven't identified any historic resources that are endangered from this project, in terms of we will be doing, some excavation, and digging, and everything. But in terms where there are usually archaeological resources they have not. Based on the research that's been done past project, they don't see this as an area that is likely to contain archaeology resources, for example. So at this point although it's not, (it) hasn't officially (been) done yet, but we're looking at a no adverse effect from a historic perspective for this project, just so you have that information.

Mr. Hull: Yes sorry the actual...excuse me I stand corrected. The statement I just made to you folks. If there are points of objection, or critique that the Commission has for the project, now would be the time to put them on the record. If there is none, the group as Lee pointed out, the specific communication they're requesting is a findings of no adverse impact, affect, no adverse effect.

Ms. Nakea: And any concerns that we have would have to be historic in nature because that is the point of this Commission...

Mr. Hull: Correct.

Ms. Nakea: So receiving would be probably the best course of action because even supporting it if there's no historical conflict, so to speak, well I guess we could word it to...right? Or we...

Mr. Hull: No, so that's what I am saying, is that the actual finding they are asking for you to make is the finding of no adverse effect. And so...

Chair Summers: Oh, I thought that was from their consultant?

Mr. Hull: No, from the actual Commission is what Lees asking. So it goes into the line with what I trying to get at was, if you do have further questions, further concerns, (and) I am not saying give that motion. Then you would ask for, you know, further information, or you give the points of critique, or objections, for which Lee folks then would take those points of objections, analyze them, and get back to address those points of objections until essentially a findings of no adverse effect can be hopefully gotten from you folks, but yes.

Ms. Wicham: Madame Chair, I have a question for Lee. Who's the consultant, the archaeological consultant?

Mr. Steinmetz: It's, I believe it's Cultural Resources Hawai'i.

Ms. Wicham: And have they already done the excavations or...

Mr. Steinmetz: So what they do basically, is they don't do field excavations. What they look at is all the literature review, all of the things that have been done in past projects, and see was anything found on those projects. So for example, one of the most relevant ones is Kapa'a Elementary (School), Kapa'a High (School) did a septic or sewer improvements and there was a lot of excavations and through those excavations they didn't find anything. They didn't find anything while they were working on that adjacent property. Yes, so they'll look at the historical use of those properties and a lot of that area was plantation before so if there were pre-plantation resources, a lot of those have been destroyed anyway because of the cultivation of the work that had been done on the land. So basically after looking at all of that field research and looking at the historical uses, they felt that there was a low likely hood of finding anything. With that being said as part of law and as part of the specifications of the project, there's also things in place that should something be found during construction, construction is stopped, archaeologist come in. So all of those protections are in place as part of the project. Moving forward, that doesn't influence no adverse effect, those are mitigation measures that go into the project, no matter what.

Ms. Wicham: Right, thank you.

Mr. Ida: So the consultant's report, has it been approved by the State Historic Preservation Division (SHPD)?

Mr. Steinmetz: So what has happened to date, so there was, so what happens first, is the area of potential effect is reviewed by SHPD and then following that there's consultation letters that are sent out to various parties, Native Hawaiian organizations, to this body, to other people. And

they're requested to provide input within a window of time, which is basically 30 days from when this letter goes out. Which happened in October or November. So once that period closes than the County and the Consultant take the comments that are received and review those and the next step is...because this is a Federally funded project, Federal Highways Administration (FHWA) is actually the leading entity. So then we draft a letter for FHWA letter head which basically summarizes all the research, summarizes all the discussion, and comes up with a finding and that's the letter that's in a draft form right now. That's been sent to FHWA (and) that has a no adverse effect finding. That letter then gets sent to SHPD and they either concur or they don't concur with that finding.

Chair Summers: So does it make sense for us to wait for SHPD to wade in? Or would we be actually providing comments that they would, you know...

Mr. Hull: We had a working relationship with SHPD over the past few years. It's interesting ...SHPD has been, they've been a resource (but) their resource has been put to the limit, I'll say. And for most of the dialogue that I've had, with what dialogue I've been able to have over the past few years, is that they would prefer that a comment come from this body first and that they are able to work off of that as well. That does not mean that you have to, but I would also say that waiting for a comment from SHPD before taking action could mean that we could be here awhile.

Chair Summers: Got it.

Mr. Ida: I don't know if this would help. But having personally worked on that bike path and board walk project, my opinion is...there ain't nothing. Its nothing there.

Chair Summers: Is the report from your cultural resource sub-contractor available to us if we wanted to look at it?

Mr. Steinmetz: Yes, I think we can share with you their draft letter that was submitted to FHWA.

Chair Summers: I don't know if anybody would want to see that?

Mr. Guerber: I think we should just move that there's no adverse effect. Really, I didn't see anything and we know the things that are in place, the rules that are in place. If they find something, they're going to stop and they're going to fix it, and we'll be notified about that. Right? So I move that we find no adverse effect.

Ms. Nakea: I second.

Chair Summers: Any further discussion on that. (Hearing none) Any opposed? All in favor? (Unanimous voice vote) Now, any opposed? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes Madame Chair.

2. Dark Horse Coffee

TMK: (4) 2-8-004:056

5521 Kōloa Road, Kōloa, Kauaʻi

Proposed renovations to existing commercial building.

a. Director's Report pertaining to this matter.

Mr. Hull: And Alex has returned from 'Ele'ele. So I turn it over to him.

Historic Planner Alex Wong: Aloha mai kākou. I have some old photos that I would like to share with you. So I put together a relatively brief Director's Report encapsulating the information that I found from our Planning Department records that are on file. The actual part by KHPRC today, the Planning Department is requesting comments from the Kauaʻi Historic Preservation Review Commission.

Mr. Wong read portions of the Director's Report dated January 17, 2019, for the record.
(Document on file)

Mr. Hull: So, I believe the applicant is in the audience and if the Commission had any questions for the applicant.

Architect Nalani Mahelona: Hello, my name is Nalani Mahelona, and I am the architect for the project and this is Linda Charlson.

Linda Charlson: I am the mother of the four boys, who own the business.

Chair Summers: On the drawing...so there's a proposed demolition plan and then a proposed floor plan and I noticed that the new ramp isn't showing. So how much of the existing rock wall is to remain?

Ms. Charlson: (Inaudible) rock wall remains.

Chair Summers: Okay, so just that tiny portion.

Ms. Charlson: There's just a tiny portion, yes.

Ms. Mahelona: Just the portion of the landing for the turnaround.

Chair Summers: Okay, so the rest of it...

Ms. Mahelona: (inaudible) remains.

Chair Summers: It just wasn't shown in the new plans, I was a little confused. Any other questions?

Mr. Guerber: We're most concerned about how the outside of the building looks and it should look substantially the same that is when it was built, as close as we can get. What we're getting to is we don't see enough of what the change would be, so. Can you explain where the changes are?

Ms. Mahelona: The front elevation if you look at that first, the only changes is the jalousies. We're putting jalousies above the front entry door. All other windows remain jalousies. They have been changed in the past so this was existing when the new tenants came in. If I am not mistaken, if you do look at the old photos there may be fixed glass or other type of windows. When you come around on the side, the siding remains the same, the vertical siding, (and) the front remains the same with the stucco. What we are doing is adding windows to the rear of the building that match the front three window panels. So the idea is to take that design and repeat it.

Chair Summers: So A3 is showing the existing up on top.

Ms. Mahelona: A3 on top is existing, yes.

Chair Summers: The proposed changes on the larger drafts are on the bottom.

Ms. Mahelona: So the idea was to keep the front portion of the building, as much intact as possible. Now as we come around the building to the rear there was an old niche, that used to possible house the Buddhist statue or something on the interior that was kind of falling apart. It's old, they want to remove it, and also add windows for ventilation on the rear. They do not intend to put air conditioning (ac), so this is for natural ventilation. When you come around, again to the left side, the left elevation there's some awning...actually, sorry, there's awning on both sides that are going to be removed and that's to allow for the windows to open above the new doors. And also we have doors at the rear that are going to be replaced with the windows. If you look at the right and left elevation, you can see that we tried to keep consistency with the new windows; however, we can't get the awnings above to match, because there's a new mezzanine in the floor plan at the rear of the building. So again, the idea was, we tried to keep the front elevations of this building intact and to renovate the rest of the building to make it most functional for the project.

Chair Summers: So the changes on the front really, I don't think you'll even see them because they'll be in shadow within the entry and really the back, the changes along the back are kind of more the old service...

Ms. Mahelona: Yes, that's what they're going to see, is the back portion changed. But the front we're, you know, trying to remain it the same with the exception of the jalousies above that entry door and then most likely replacing that entry door to solid wood. So the looks not going to change. Sorry, we also have the president of the church, and he's in the audience.

West Kaua'i Hongwanji Board member Dennis Kurokawa: My name is Dennis Kurokawa. I represent the West Kaua'i Hongwanji. I am not the president, I am one of the board members and I was kind of in charge of the project and so we are the landlords of that property.

Obviously, we are in favor of the project because this project will definitely help the church financially because as you know all the churches now days, they're having hard time, yes. So if it's at all possible, we'd like to have the project approved, if they meet all the guidelines of course. We have secured a long-term lease with them, so they are going to be here awhile, you know. And they're going to be investing quite a bit of money into the property to preserve the historical building there and also they're going to allow us to put historical history of the church there so we can preserve that also for the community as a whole. Right now, there is no church there, so. And we haven't made any definite plans as to what we're going to put there, but we are definitely working on that right now. And we've kind of come a long way with the process (of) securing a lease and all of that, with the help of Jim Mayfield and some other people. Already the work and the planning that has taken place, I can see that it's going to greatly improve the property and maintain the property and its history of the church. Also they're going...because the monkey pod trees and stuff they are historical also, they're on the (State) Register, I think. They're going to be maintaining those monkey pod trees as is stated. I believe they're also going to be promoting more business locally, as well as for Kaua'i. They kind of have big plans, if it goes through but they're going to initially start off with a Starbucks like coffee shop and their already working in the mainland. They have established themselves. I think they have, what five coffee shops near sunset up there? Nine? Wow, okay so and they're pretty-solid business wise. We kind-of made sure of that as we try to engage them in a lease and stuff. So we're excited about the project for the church and for the community and for them. So we're in total support of this project. So you guys can give them your consideration, really appreciate it. You have any questions.

Mr. Ida: So they have the lease on this entire property.

Mr. Kurokawa: It's not the entire property. Well the part that belongs to (the Kōloa) Hongwanji Young Buddhists of America (YBA). We own two-thirds of the property and I think the preschool owns a third of it. And technically the ownership legally is under the State Honpa (Hongwanji Mission of Hawai'i), but we are the actual owners. And I think they do this because the churches need to preserve the church and they oversee what happens at the church. They cannot leave it to the local community church, to decide on those religious matters; or what happens to the property. So we have to get approval from them. So they are the parent of us, but we definitely not own title to the property, but we own the property. Just to clarify this.

Mr. Ida: So the plan to lease this out for a commercial venture...

Mr. Kurokawa: Yes.

Mr. Ida: Came locally from you guys? Or from the state Hongwanji?

Mr. Kurokawa: The plan was develop by Jim Mayfield. He's our commercial broker and he developed the whole plan for us, because we knew nothing of contracts and leases and stuff like that. But together with him and you know, we put together a pretty good lease, a long term lease. We have the packet lease already signed and sealed by Honpa (Hongwanji Mission of Hawai'i) as well as the tenants. So if you guys need to see that, we can produce that.

Mr. Guerber: So Ka‘āina, do they have to change the zoning? Is there a...

Mr. Hull: No, so actually the area is in the section of Kaua‘i or south Kaua‘i that went through what’s referred to as farm based coding. And so while we’re appreciative there’s no proposed changes to the exterior of the structure, because the farm based code is essentially set up to center on the form of the building as opposed to the usage. And this is right in the town core area, where the freedom of uses is really open, so there’s nothing that they would have to do zoning wise to change over the potential to use it. The plan itself looks at revitalization of this area.

Mr. Guerber: I move that we support this.

Ms. Nakea: I second it.

Chair Summers: All in favor. Any further discussion? (Hearing none) All in favor? (Unanimous voice vote) Any opposed? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes Madame Chair.

5. Amendment to Chapter 8.6 of the Kaua‘i County Code (1987), as amended, relating to building design requirements and reduced parking standards for commercial development.

a. Director’s Report pertaining to this matter.

Mr. Hull: So that proposed draft bill you have in front of you, is the zoning amendment for the Commercial Zoning district throughout the County of Kaua‘i. To one, require a street frontage designs for all commercial buildings and secondly, it reduces the parking requirements, quite honestly it eliminates the parking requirements for commercial structures and limits it to just requiring for employee parking. This bill actually came before this body, roughly five years ago. And essentially, it’s a bill to implement smart growth principles within the town core areas of various...of all of Kaua‘i’s towns. In essence, for the past forty, fifty, sixty years now, the pre-dominate design perimeters for commercial buildings has been one that has either required, outright required or just facilitated what became commonly known as strip mall style developments with massive mall type of developments and or in particular a sea of parking requirements in front of those structures. Which as time has progressed, we’ve seen kind of eviscerated our town cores and changed the manner in which communities are centered around commerce and function within itself. And so this bill was floated, like I said five years ago, and was ultimately submitted out to the Historic Preservation Communities, as well as, the commercial communities, such as the Līhu‘e Business Association and the Chamber of Commerce. And back in 2014 both this body, other preservationist and you know the small business groups, kind of rallied around this bill and recognizing that it was both a preservationist bill as well as a bill looking at redevelopment and revitalization of town core areas and bringing those standards outward to further commercial developments. And so we actually ended up putting the bill on hold as the County of Kaua‘i was going through a General Plan Update to see if those policies

resonated with the overall communities, as we reached out to them to update the General Plan. Since that time, the General Plan had been adopted and actually, it was vetted through communities, that indeed there is a desire to have, or to return, or put an emphasis on street frontage development for commercial buildings, as well as, looking at potential reductions in parking requirements. So that's what we're returning back to you folks with (and) we could've gone up and proposed it to the Planning Commission and referenced this body's communications, as well as, the Chamber Commerce communications from 2014 saying, "look the preservationist community and the small business communities support this." But to do that would be a little bit disingenuous being that those comments had been made five years ago. So we're ultimately submitting it back to this body. I don't know if anybody was on this body when we originally submitted. I believe Commissioner Schneider, who still is a commission member for a couple of months was (and) is the only remaining commissioner that was on the body at that time. So yes, we submit to you folks for your input and if you guys have any critical points on that.

Mr. Guerber: Well I have to say that Kaua'i Beer Company was kind of an experiment about this and what it says is yes, we need parking but we don't need to be restrictive by County rules to have the parking or else we couldn't exist. That was what it was, and you can tell that because along Rice Street there has been no restaurants along Rice Street, until we got there. Because they were not allowed, well they were allowed if they could have parking, but there was no parking, so it didn't work. And it's an example of somewhat simple ideas getting turned into laws that have an adverse effect to stifle a certain kind of development. And these rules were really there to make malls happen, it was kind of designed to make (a) mall. You have a big long area and you go outside of town, make a big development, make big parking and put the buildings in the middle of it. Kukui Grove is an example of that and they flourished for a long time. Now, I think the population is reverting-back to a neighborhood kind of concept, where people live, work, and shop in the same area. I would like us to get back to that in Rice Street and in our commercial areas.

Mr. Hull: And Commissioner Guerber, that's exactly what the bill is looking at. I will say this, we also have another bill that isn't just so much a preservation side but we are considering combining it with this bill, to outright allow residential use in the commercial zoning district. In many of the town core areas that have done their community plan updates, like Lihu'e, like South Kaua'i, they have already made that move to say in their town core areas, residential usage is an outright permitted use. But as much as we talk about mixed use, and smart growth, and infill development, we really haven't gotten too much of a discussion. Sorry, we haven't really gone back to say – right now in our commercial districts it requires a use permit before the Planning Commission (and) to ask for their permission and scrutinize in order to put an apartment above a commercial complex. And I guess somewhat loosely, being that you (are) discussing this bill, would you folks see any issue from a historic preservation side and knowing that many of our town cores are historical sites and allowing residential uses within those structures?

Chair Summers: Aren't a lot of the historic buildings that exact form? It's actually just going back to a...

Mr. Guerber: That's exactly right. Historically someone would have opened up a store on the bottom floor and they would live above it.

Chair Summers: And we see that...

Mr. Guerber: We still see that.

Chair Summers: In small towns here, right? (In) a lot of the older buildings.

Mr. Hull: Right, and many of those buildings were constructed prior to 1972 and it was in 1972 as we started looking at somewhat geometrically shifting uses apart from each other, that the barrier to residential use of commercial sites was put in place.

Chair Summers: It was limited to a bar.

Mr. Guerber: Build an apartment above Masa's.

Mr. Hull: So with that, I mean that's why we submitted the draft bill to you. If you guys have any comments, criticism, ultimately we're seeking the Commission's support in moving it forward to the Planning Commission (and) ultimately to the County Council.

Mr. Guerber: Well, I move we totally support this bill.

Ms. Nakea: I totally second.

Mr. Hull: Before discussion, I just want to make sure that there's nobody in the public that (would) want to speak on this bill. Okay.

Chair Summers: So any more discussions. (Hearing none) All in favor? (Unanimous voice vote) Any opposed? (Hearing none) Motion carried 5:0.

Mr. Hull: Motion passes Madame Chair. Before we move into the next agenda item, which is essentially clearing it out, I do recommend that our esteemed Mayor walked into our gallery and I want to recognize him.

Honorable Mayor Derek Kawakami: Madame Chair, can I have the floor please.

Chair Summers: Of course.

Mayor Kawakami: Thank you. Sorry for interrupting this very important meeting but I do want to say thank you to our Commissioners, Madame Chair, Our Planning Director, Deputy and to the entire staff for volunteering for this very important Commission, the Historic Preservation. You know how do we move forward and maintain our sense of place, our culture, so we can pass on and tell the tale of our history through our places. And I can tell you the work that you do is so very important. You know great places happen with intent, they don't happen by mistake. They happen because it was intentionally planned, that way. So you are really planning for the

future, while maintaining our history and our past. So I want to say I really appreciate the work that you do, you're all volunteering and it's a noble calling to be a public servant, to be in a position to serve for the next generation. So I want to thank you and from time to time as my schedule permits, I'll be down here to just listen. And on behalf of the Office of the Mayor if there's any assistance that we can be of, please don't hesitate to ask. But I want to thank all of you for the work that you do, alright. Thank you, have a great day.

Mr. Hull: Thank you Mayor. Moving on. So the next agenda items we have are agenda items J. New Business 3. and 4. and this is all before adjournment.

Chair Summers: Can I propose a five minute break?

Mr. Hull: You're the Chair, you can institute a five minute break.

Chair Summers: I am instituting a five minute break.

Meeting recessed at 4:24 p.m.

Ms. Jodi Higuchi-Sayegusa left the meeting.

Meeting called back to order at 4:30 p.m.

Mr. Hull: Madame Chair, we're back in order. So what happens next is essentially we had to move agenda items 3. and 4. because as we understand now, commissioner Wichman will be recusing herself from both of those agenda items and without Commissioner Wichman, technically there is no quorum. We got clarification from the County Attorney that the applicants can still give a presentation, and you as individual Commissioners can sit and receive that presentation, and you can also ask clarifying questions, but being that there is no quorum and Jodie had to leave as well. I am kind-of here little bit playing referee. In essence, you can ask clarifying questions but I'll ask you guy not go into any questions or dialogue between each other that would constitute deliberations on what actions would be taken later on in the future. So at the end of the presentation and at the end of any clarifying questions you folks might have that would be said, no motions can be had, (and) no motions can be made. We would just have to move on to the next agenda item, and again can ask clarifying questions but no motions can be made, and ultimately the meeting would be adjourned thereafter.

Mr. Guerber: You can't even move to receive because...

Mr. Hull: You can't even move to receive it. Technically, it's going to go to the next agenda item because no action was made. I am not sure if the applicant can return for those deliberations but the next meeting would be when the deliberations would be had. So any questions on the process here? Okay, without further, adieu.

Ms. Wichman recused herself.

3. National Historic Preservation Act (NHPA) Section 106 Consultation for Hawai'i State Parks Water Bottle Filling Station Project.

Project to install 19 water bottle filling stations within 15 Hawai'i State Parks on the islands of Hawai'i, Kaua'i, Maui and O'ahu from August 2018 to July 2021.

Administrator Hawai'i State Parks Division Alan Carpenter: Good afternoon Madame Chair, Mr. Director, Commissioners. It's nice to see a fledging Chair (inaudible) interesting to watch, thank you for serving.

Chair Summers: Thank you for keeping me entertained.

Mr. Carpenter: I am Al Carpenter, Assistant Administrator of the Hawai'i State Parks Division. I am wearing sort of two hats today. For 23 years I was the State Parks Archaeologist and done an immense amount of work on Nāpali and other parks on the island. With me today are Planning and Development Chief Russell Kumabe, from the Department of Land and Natural Resources (DLNR) Engineering Branch Melissa Agbayani, and Victoria who has now left the table is an Interpreter Specialist and also a qualified Archaeologist, so she has involvement in some of these projects. The first project, this water bottle filling station is far less controversial than the second project that I am going to present. And I didn't know we were on the agenda until yesterday but it essentially is a National Oceanic and Atmospheric Administration (NOAA) grant that allows us to convert existing water fountains to water filling stations and its intent is to eliminate marine debris. We all know that single use plastic is a huge issue with creating that debris. So all it entails and it has a fairly lengthy document that goes along with the 106 Consultation. We are essentially changing out existing water fountains and putting in water fountains that also have a water filling station and I think we have four on this island. There is...one of them is new, and that's up in Kōke'e between the lodge and the museum and that's the only one that sort of breaks new ground. There are two proposed for the Wailua river state park, one is in a historic building, which is the marina building, I think she took historic status last year, 2018 and it will (be) essentially taking the existing water fountain off of the wall and putting a new one on the wall. And then there's one at Opaekaa Falls and that again is on a modern restroom wall. And the final one is at Hā'ena State Park, which has an existing water fountain that we'll just be replacing (the) existing one on a concrete slab, which of course right now has no water service because we lost our waterline in the flood. But that in a nutshell explains what this document is all about and I do have an update. We did in fact receive SHPD's concurrence of no adverse effect, and so the public comment period has technically closed and for that I apologize that we didn't present it to you before that happened. But I can tell you that any comments you do wish to offer and you can give to us at any time, we still have the corresponding Chapter 60 compliance to do for this project. So if you have any significant comment we're certainly willing to entertain those and incorporate those into the (Chapter) 60 document that will also get reviewed by SHPD. So thank you.

Mr. Hull: So is there any questions concerning this?

Chair Summers: Any questions, no deliberations.

Mr. Guerber: Pretty self-explanatory.

Chair Summers: Yes.

Mr. Carpenter: I thought so.

4. Hanakāpīʻai Bridge Project

State of Hawaiʻi, Division of State Parks

Proposal to construct an aluminum truss pedestrian bridge across Hanakāpīʻai Stream in Hanakāpīʻai Valley, Napali Coast State Wilderness Park.

Mr. Carpenter: So now I am here to talk about the proposed Hanakāpīʻai Stream Bridge. And in addition to the folks I already introduced, I would like to mention that we have David Buckley who is the new SHPD Kauaʻi Archaeologist and at the time you guys received this packet we had not received a review from SHPD. We still have not, but we have consulted and had a site visit with David. And SHPD has offered input, (and) we will take that into account and try to highlight those during this presentation. So and there metaphorically is the...your Chair, getting her feet wet. This is the existing condition of Hanakāpīʻai Stream, two miles into the Nāpali Coast State Wilderness Park with the trail head at Hāʻena. This should not be conflated with the island master plan that is going on right now, it's an independent project that had been in the works for a very long time. I think we started this in 2013 for very compelling reasons, to add this as a public safety measure. I believe that possibly 30 people have died here since 1970, mostly from flash floods, (and) also from drowning in the ocean. So it is if not the most dangerous, one of the most dangerous areas in the park system for us and we do have means of mitigating that. This project came out – we had the idea independently, but we were approached by first responders, Kauaʻi Fire Department who are the ones who bear the brunt of having to rescue people here all the time. The state doesn't do it, the county does. So we worked on this concurrently to come to this proposal and we are, we have a design and we – it's sort of taken a back seat to everything that's happening, with all the flooding, closure of the north shore, Hāʻena and Nāpali. You know there are rockslides, there are landslides, there are, you know broken facilities but it is a funded project and it is something if the approvals goes through, this is only one-step of many. We've gone through several already, this is a prelude to get into the County Special Management Area (SMA) Permit, we'll have a public hearing prior to that and then we'll present this again during the SMA to the County Planning Department. There would be some advantages to doing it. The closure (of the trail) still continues for many months (and) that seems to be a moving target, but I am certain it would make some sense to do (inaudible).

Mr. Guerber: Who funded this?

Mr. Carpenter: Capitol Improvement Project (CIP) funds and DLNR State funds. So the location. You've all been there? So the map on the left, that's all closed area now (and that's) the project area location in red. This would be I think about 300 feet from the shoreline, so it's down low and there it is again, an aerial photo on the right. This is Hanakāpīʻai Stream on a normal day. That bridge is essentially designed, the design we proposed, that bridge is not there that is a photo shop image that I created. That's actually my wife and daughter on the bridge hiking in Bryce Canyon National Park. So that I tried (inaudible) that is about the height it would be, that is the width it would be, that is the style and color it would be. I think the only

thing I would say that is different is we proposed to have a dark treadway across the board, it's kind of white there or a dark probably a plastic wood. So it is truss style which is to say you know it gives it strength across a long span. It will be aluminum. It needs to be rust proof and you know there's a lot of styles of bridges in the wilderness we need ours to be kind of bullet proof, so while aesthetically makes sense for maintenance and just longevity, we decided to go with aluminum. It will be powder coated a dark brown to mitigate the most, the significant impact, which is the visual one, right? It's a big change in the wilderness areas and that will span across it. Each side will have concrete abutments and there will be micro pilings that drill to the ground to support them. They're very small and it spans from a natural rock outcrop on the left side of this, which is actually the Kē'ē side. To the right side it meets up adjacent to the existing trail that goes up towards Hanakāpī'ai Falls and eventually it morphs to become the continuation of the Kalalau Trail, as well towards Hanakoa.

So far for the previous summer, we had done an Environmental Assessment (EA), (inaudible) from DLNR (and they) issued a finding of no significant impact (in) 2017. We had a cultural analysis done by Trish (Trisha) Kehau (Kehaulani) Watson and Keao NeSmith, two historians from this island. Our SMA permit we put in an application quite some time ago (and) this was a preliminary step to get a hearing, so that would be the next step and we also still have to complete the SHPD (inaudible) that we're working on right now.

The plans from the top, so you're looking at it from the...bottom would be mauka and the top of the frame is makai towards Hanakāpī'ai Beach. So the brown (lines) are the existing trail runs. So right now you come from Kē'ē on the right side down that brown trail, meet the river (and) walk across, actually they hop across rocks. Up and down all around that area to get over (to) the trail on the left side and then head straight to Hanakāpī'ai Beach, or if you take that trail and go into the bottom of the picture that's what leads you up towards the falls and then continuation of the Kalalau Trail. And you can see the relation of bridge to the existing trails. The trail on the left side does not have any visible historic remnants; I actually believe it's not the original historic trail. The trail on the right side is stone paved which has sort of, that's one of the traditional elements of the trail which is a historic site built in 1860 and modified many times since. And then the photo on the right just shows you...it's an aerial view of approximately where the bridge would sit and it's showing you the degree of vegetation. Again, these are the construction plans, which are a little hard to see at this scale.

One thing I should point out, the green trail on the right side is a new 50 foot long proposed spur trail to access the bridge on the Kē'ē side, for a couple of reasons. One was to preserve both the route of the original trail and the stone paved remnants of it, so it allows people if they so choose, to continue to take the route they always have historically. Secondly the right side of that bridge, if it was going to be connected to the trail at an elevation that made sense, the bridge would have to be much longer. It would have been up to (where) the green and the brown meet but also there is a natural outcrop that makes a perfect stable base, from an engineering geotechnical standpoint. It's a much more solid base for the bridge abutment on that side and there's some pictures there. Okay so this is the same thing more or less in cross section, the upper one shows you the, the depth of the stream, it shows you the proposed concrete abutments (inaudible) it goes down below a little bit and then the – those dash lines are micro piles which get drilled into the rock. This is very much the same as the color view that I showed you,

showing all the same elements. That gray shaded one is the new proposed trail. Which it will probably be built to mimic the style of the existing trail, which is largely a rock face trail and or just a flat cut, but it will have to adapt to whatever the conditions are out there. It may have a partially retained above it or partially retained below it. Existing trails have no retaining walls above the trail only below it. So (the) photo illustrates what I talked about – that is looking – (the) yellow box is basically where the bridge will enter the, or meet with the trail on the west side or Kalalau side of the stream. And the photo on the right shows that length or just it – geotech already been done there its archaeology monitored, there are no archaeological features or materials at that location. This is the opposite side now. The eastern side, Hā'ena side, and again it's very obscured by vegetation but there's a large rock outcrop as you can see sort of (at the) middle top on the photo on the right and that will be what it's anchored to.

Okay, so the – but it is within an archaeological complex, the greater area and so all of Nāpali is part of the – it's a part of the Nāpali Coast Archeological District, it's listed on the Hawai'i and National Register of Historic Places. Every one of the valleys has a pretty-significant story to tell from an archaeological standpoint. They're very loaded with particularly, agriculture remains. Kalalau being the most dramatic (has) a large number of sites, (and is) the largest area. And Hanakāpī'ai is a fairly narrow one but there are two dozen or so recorded sites or site complexes. The one that we're looking at here, is an agricultural complex minus habitation features to it. It is stone terraces, one stonewall and there are...we have identified some subsurface deposits. It is also highly degraded, it's one of the most degraded site locations along the Nāpali Coast (and) that's because we have, you know up to 2,000 people a day hiking there with limited management and (inaudible). So there've been...and for 40 years it was a legal camp spot and so we stopped camping there in the year 2000. Literally, from the 1950's (and) before it was even a state park it was a popular camping location. Many people modified sites for decades; they turned what were traditional sites into campsites. So it is highly degraded and it's difficult to determine in fact which sites...sometimes which ones are older. So this is one of the things that differ from the correspondence that we gave you.

When we met in the field with David of SHPD, he had concerns that we had these areas of potential effect or these areas in red that we had identified. And he said "well there's all this stuff all over there", you know and this is based partially on uncertainty because we don't have...the contractors have to be creative on how they make this work. So to explain what's on the left and a little bit of our philosophy now. SHPD...we have an overall potential area of effect that's fairly large and what I have been pushing and trying to do in my career as a part time archaeologist is instead of...what is typically done is you put a buffer around archaeology sites or features and you say "stay out of here", right? Because we protect all kinds of things, geological features, you know, plants, endangered species, what have you, right? I much prefer to give the contractor a very limited area to work in. Then you limit the damage to only that location, regardless of what's around you, even if it's not an archaeological feature. So that's really what the red was attempting to do but I do understand that there is always potential to impacting but we hope that, you know, that would be mitigated by working closely with contractors and clearing particular areas where they can stage materials. The bridge itself is not going to have a very large footprint; its just two abutments on each side and the 50-foot spur trail. But it's the equipment and getting materials in there, storing it, staging it, etcetera. I am hopeful that they are actually going to bring the bridge in by helicopter and drop it in place, right.

May have to come in two to three pieces but that would be the best, then you don't even have to lay it on the ground anywhere. So there is some uncertainty but we have identified all the features within the potential area of effect, I suspect the area of effect would be much smaller in reality. So to summarize, we have limited construction staging areas to those previously disturbed by campers, hikers, beach users. Our archaeologist will be in there; we always brief crews ahead of time and we try to monitor at least, you know, for every major phase of construction. We don't necessarily have the staff to be there at all times. And then if there are features that are potentially going to have to move over them, across the, etcetera, we'll try to cover them with plywood, cover them with you know, cover them with vegetation or something like that, some materials to mitigate any heavy impacts to those sorts of features. And one thing that SHPD asked that I believe we are permitted to do is, when we have these opportunities (inaudible) to clean vegetation these areas (inaudible) and very difficult to map and some of our maps (are) from 30 years ago did not benefit from clearing vegetation which can lead to misinterpretation. It's always good for us to reevaluate the condition of features and remap them, re-document them, so we'll implement that as part of this as well (and) give us an updated recorded for (when) the next changes occur.

Again from the air you can see we have at the left side is our old loading zone (LZ) which was actually in our established decades ago. It's kind of in an archaeological area served now (and) it's also sloped. It was not particularly (an) ideal LZ from a safety and pilot's perspective. So they asked and we recently had a project where we created a new LZ in a much larger open area that's right smack dab in the middle there. That would probably be the area that would receive a bunch of the materials from staging and you can see on the right the relation of that LZ to the bridge. And then I should note, that we have a bunch of existing facilities already on the right, you can see the roofs. We have three composting toilets, very important for public health. And we have a large shelter which is kind...it's both used for maintenance, it's a rain shelter, it's also been at times an emergency shelter for when people get trapped in there. And we actually do keep emergency supplies in there as well and the Fire Department and our staff has access to. Now some of these things when the bridge goes in, it won't be as necessary anymore because right now the problem is when the stream floods, which we are finding is happening more and more frequently. I think in the last full year before the big flood that closed everything, I think we had 20 incidents of flash flooding and we were closed. Some of those closed for more than one day, so we were closed for almost one month of the year, because people, you know, couldn't get across the stream in either direction. Okay so to focus on the features (inaudible).

The Kalalau Trail spur itself, this is the last one (that) comes down the slope from Hā'ena towards Hanakāpī'ai Stream (and) you can see the boulder paving, right there, on the left. That's looking from the stream up and on the right you're looking from the top of the trail down towards the stream. It's been inventoried, as had, the entire first two miles of the trail in a separate project, when we did a maintenance project. And we have most of those things recorded and mapped already; that's not part of the ones we need to re-record but we do need to protect it. And from there, you can't really tell in this view where the new bridge abutments going to go but it sort of...if you look on the right photo, it's kind of center, top, a lot of vegetation. Alright, so I just kind of talked about this the whole way long, but why, why this bridge is proposed? And I don't need the bridge because I am smart enough to not cross the stream when it's flooding but many people have died. Many people have been rescued who

don't actually need to be rescued, they're just trapped, right. They're cold and uncomfortable, but they're not really in danger and they...it takes sometimes a monumental effort to get these people out and sometimes the water does not subside for days. And we, you know, you could say well they can, you know, let them go, let them take the risk. I'd rather have them be safe if we can make them so with a simple edition of a bridge. I see the bridge as a way out not so much a way in, we can still close the trail in terrible conditions at the trailhead, as we typically do. But many of these floods have come without even a flashflood warning, right. So it's just an area that's super susceptible to it and has a very large catchment above – the Kōke'e area that all filters, all flows down one channel. And then on the right you can see, I mean even our flash flood signs get knocked out, when the floods come. That was actually just two weeks ago, that was from the big one.

And I'll end with just the notion that bridges along iconic trails and wilderness areas are not anything unusual, they're actually often sought after. I suspect that this bridge, while it does mar the environment a little bit, that's the one right in the middle, all the rest of these national parks and many of them are actually (like) New Zealand, which has a bunch of famous tracks, they call them, instead of trails. They are part of the landscape on these well-tracked avenues to the wilderness, it's not that unusual a concept and they're usually there to keep them safe. So...

Chair Summers: What determines the height of the bridge the (inaudible)...

Mr. Carpenter: Good question...I have an engineer that could chime in as well but if I...I believe the height was determined by what they felt was the 100 year flood stage plus the height of debris that come in that walk.

Chair Summers: It didn't look very high to me, that's why I asked, because I am thinking...

Mr. Carpenter: Right.

Chair Summers: What we've seen out there.

Mr. Carpenter: I think its 14 feet. Fourteen feet above stream level...

Chair Summers: It may not seem nicely proportioned with the surrounding landscape.

Mr. Carpenter: So it was based on a flood projection.

Chair Summers: I figured it was, but I had to ask.

Mr. Carpenter: And I wish I had pictures to see what happened in April (inaudible).

Mr. Hull: I have a clarifying question Chair, in the event that you folks are unable to attend the next meeting. Alan, for the Commissions discussion, at that point in the previous application it's a proposal (of) no adverse impact, effect. In this one, the findings are a determination of effect with proposed mitigation commitments.

Mr. Carpenter: Correct.

Mr. Hull: Are you specifically looking for essentially the Commission, if there is no further critique, criticism, opposition for them to just accept the effect with proposed mitigation commitments or...

Mr. Carpenter: Correct and with SHPD we'll work out the final details. They impose the condition on us effectively, we ask them for this, but they have to concur. So we're still waiting for their concurrence. There'll be minor modifications to the documents you guys have now.

Mr. Hull: And then I...just thinking out-loud, one of the effects that's found in the documents you provided is, and the predominate one is, the visual impact that it has on the historical sites and as well as the overall area. Is there a reason why, at least in the photo rendering the paint of choice is brown as opposed to something that blends more with the valley itself?

Mr. Carpenter: Actually, so...are you thinking green. Okay. I promise you, go take a look sometime at like a green fence, its way more, its far more prominent in your view than black or brown, right. So most of the soil and the rocks are black, brown or gray and so are the trees and tree trunks but yes, you see this green. I think I ought to provide you a Photoshop version of green and you would say "Whoa" it's really, harsh.

Chair Summers: And the treads would be a darker or a gray or something right.

Mr. Carpenter: Brown.

Chair Summers: Brown and gray, so.

Mr. Carpenter: It'll get muddy pretty quick.

Chair Summers: No you did a good job.

Mr. Hull: And then one last question, sorry. When eventually, and as you mentioned it's a moving target, when those roads do open up and I understand that it looks like the State Park would be open possibly or at least ready for opening prior to the actual road opening up. But once the road is open, and the park there is open, is the trail itself as well going to be open for the public to traverse this area or not yet?

Mr. Carpenter: Okay, good question. Right now, we're looking at potentially being done by the end of March, with the improvements. Now, if there's still other things we need, we didn't completely flush out the master plan (and) we got the big things done, and local residences, of course want to have access, they've been asking even about the trail, as well. So there were...there is damage and there remains some hazards along the trail. There were...so what happened along the trail was a (inaudible) of what happened to the highway. So we had five, you know, major landslides, but five foot wide rather than 20 foot roadway. Three, four, of those now this week, it's been repaired. Some of them were really, sketchy, right, like the 400-foot drop for the one-foot wide trail, right. So but the area from the trailhead to Hanakāpī'ai, that one

large slide has been repaired. It's still a mess. There's trees down, there's rocks that have come onto the trail. It needs essentially a really, good basic maintenance run. But I believe we can get that done, concurrent with the opening of Hā'ena. Then the question becomes do we want to send people down there? Or are we going to have our staff on? Because we got three new positions, gratefully from the Legislature for Hā'ena, Nāpali this year, something we've been begging for, for years. So we have those folks on board. Yes, I can see some soft opening on both Hā'ena and the trail and we also, we have a very dedicated group of volunteer curators who have been maintaining the trail for us. They've been dying to get back in and we're about ready to let them go in so long as we got the whole County pass issues. Because they would gladly, you know, do all that the maintenance that it really needs just to get it back in shape. Lot of vegetation encroachment, lot of just debris on the trail just makes it slippery, things like that. For the most part it's, I wouldn't call it unsafe.

Mr. Hull: Thank you. So there. So the Commission has no further questions to the applicant. We would just ultimately move to adjournment.

K. COMMISSION EDUCATION COMMITTEE

L. KAUA'I HISTORIC RESOURCE INVENTORY UPDATE COMMITTEE

M. HISTORIC PRESERVATION PUBLICITY COMMITTEE

N. HANAPĒPĒ BRIDGE REPLACEMENT PROJECT COMMITTEE

O. SELECTION OF NEXT MEETING DATE AND AGENDA TOPICS (2/21/2019)

P. ADJOURNMENT

Mr. Guerber: I move we adjourn.

Ms. Nakea: I second.

Mr. Carpenter: Would you prefer we come back or do you think that's necessary?

Mr. Guerber: We don't even know if next month we'll have a quorum. We don't know.

Mr. Hull: We'll be in touch as far as one whether or not the...I think we'll work with Aubrey as the Chair and whether or not there's a request for you to officially return to participate in the deliberations or not.

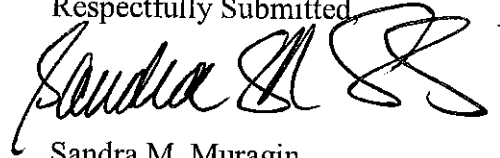
Mr. Carpenter: We're all good.

Mr. Hull: Okay.

Chair Summers: Hereby adjourned.

Chair Summers adjourned the meeting at 5:04 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Sandra M. Muragin", with a stylized flourish at the end.

Sandra M. Muragin
Commission Support Clerk

(X) Approved as circulated. 02/21/19

() Approved with amendments. See minutes of _____ meeting.